

**UNITED STATES OF AMERICA  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**CHAIRMAN:**

Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

Judge Anthony J. Scirica  
United States Court of Appeals  
Third Circuit

**DIRECT REPLY TO:**

Jeffery N. Lüthi  
Clerk of the Panel  
One Columbus Circle, NE  
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<http://www.jpmr.uscourts.gov>

May 14, 2007



MAY 17 2007

AT SEATTLE:  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

J. Michael McMahon, Clerk  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Re: MDL-1598 -- In re Ephedra Products Liability Litigation

(See Attached CTO-50)

Dear Mr. McMahon:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on April 26, 2007. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

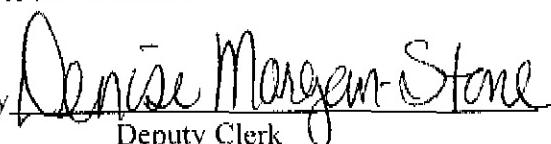
The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

**The Panel has ordered that its Rule 1.6(a), pertaining to transfer of files, be suspended for purposes of this litigation. Accordingly, the transferee district clerk shall request, and the transferor district clerk shall forward, only those files deemed necessary by the transferee district court.**

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By   
Denise Margem-Stone  
Deputy Clerk



05-CV-01068-MAN

Attachments

cc:	Transferee Judge:	Judge Jed S. Rakoff
	Transferor Judge:	Judge Marsha J. Pechman
	Transferor Clerk:	Bruce Rifkin

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

APR 26 2007

FILED  
CLERK'S OFFICE**DOCKET NO. 1598****BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****IN RE EPHEDRA PRODUCTS LIABILITY LITIGATION***Gerald Fisk v. Metabolife International, Inc., et al.*, W.D. Washington, C.A. No. 2:05-1068 *WT***CONDITIONAL TRANSFER ORDER (CTO-50)**

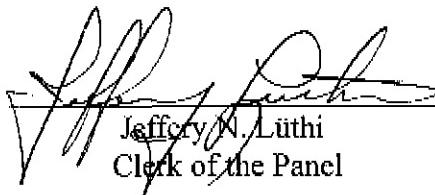
On April 13, 2004, the Panel transferred 14 civil actions to the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 314 F.Supp.2d 1373 (J.P.M.L. 2004). Since that time, 666 additional actions have been transferred to the Southern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Jed S. Rakoff.

It appears that the action on this conditional transfer order involves questions of fact that are common to the actions previously transferred to the Southern District of New York and assigned to Judge Rakoff.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), this action is transferred under 28 U.S.C. § 1407 to the Southern District of New York for the reasons stated in the order of April 13, 2004, and, with the consent of that court, assigned to the Honorable Jed S. Rakoff.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of New York. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Jeffrey N. Lüthi  
Clerk of the Panel

Inasmuch as no objection is pending at this time, the stay is lifted.

MAY 14 2007

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

**INVOLVED COUNSEL LIST (CTO-50)**  
**DOCKET NO. 1598**  
**IN RE EPHEDRA PRODUCTS LIABILITY LITIGATION**

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